

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERSTATE FIRE & CASUALTY
COMPANY,

Plaintiff,

v.

ANTHONY DICKERSON, *et al.*,

Defendants.

Case No. C11-1730RSL

ORDER GRANTING IN PART
MOTION FOR RECONSIDERATION

On August 31, 2012, the Court granted defendant's motion for summary judgment and ordered plaintiff to pay to the Dickerson's \$2,000,000 plus pre-judgment interest. Plaintiff filed a timely motion for reconsideration in which it asserts that the Court erred in its policy interpretation analysis and that the award of pre-judgment interest was legally and factually unsupported. Dkt. # 56. Pursuant to Local Civil Rule 7(h)(3), the Court invited additional briefing regarding the pre-judgment interest issue, particularly the appropriateness of an award that exceeds the maximum amount set forth in the parties' settlement agreement.

Having reviewed the submissions of the parties, the Court denies the motion for reconsideration as to the policy interpretation analysis, but grants the motion as to the award of pre-judgment interest. An award in excess of \$3 million is inconsistent with the parties' written agreement. Although plaintiff should have responded to the Dickerson's request for pre-

ORDER GRANTING IN PART
MOTION FOR RECONSIDERATION

1 judgment interest in the context of the motions for summary judgment, the meaning of the
2 settlement agreement is unambiguous and will be enforced.

3
4 For all of the foregoing reasons, the Order Regarding Cross-Motions for Summary
5 Judgment (Dkt. # 53) is amended to delete the award of pre-judgment interest in the concluding
6 paragraph.

7
8 Dated this 19th day of October, 2012.

9 

10 Robert S. Lasnik

11 United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26